



Tennessee Department of Environment and Conservation
Division of Water Pollution Control
Mining Section
2700 Middlebrook Pike, Suite 220
Knoxville, Tennessee 37921-5602
PHONE (865) 594-6035 FAX (865) 594-6105

Public Participation Opportunity

August 18, 2004
Public Notice M2004-13
Public Notice Expiration September 20, 2004

The purpose of this notice is to advise the public of the following draft environmental permits and to solicit comments and information necessary to evaluate the potential impact of the proposed activities on human health and the environment.

Individual NPDES Permits

Coal Proposed Modification

Applicant	National Coal Corporation
Facility	Mine 2
NPDES Permit Number	TN0072834
County	Anderson
Type of Modification	Adding discharge monitoring point
Street Address	State Route 116
City	Devonia
Zip	37728
Description of Activity	Surface coal mine
Receiving Streams	New River, Ursery Branch, Double Camp Creek
Effluent Description	Treated storm water
Facility Latitude	36° 08' 07"
Facility Longitude	84° 21' 20"
Permit Writer	MRR

Coal Proposed Reclamation

Applicant	Kopper-Glo Fuel, Inc.
Facility	Deep Mine 3
NPDES Permit Number	TN0053431
County	Claiborne
Street Address	Rock Creek Ridge Road
City	Clairfield
Zip	37715
Description of Activity	Reclaimed underground coal mine
Receiving Stream	Rock Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	36° 31' 20"
Facility Longitude	83° 56' 55"
Permit Writer	JCP

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Coal Proposed Reissuances

Applicant **Robert Clear Coal Corporation**
Facility **Area 5**
NPDES Permit Number **TN0071323**
County Claiborne
Street Address Rich Gap Road
City Clairfield
Zip 37715
Description of Activity Surface coal mine
Receiving Stream Straight Creek
Effluent Description Treated wastewater and storm water
Facility Latitude 36° 31' 02"
Facility Longitude 83° 52' 18"
Permit Writer MRR

Applicant **S & H Mining, Inc.**
Facility **Deep Mine 2**
NPDES Permit Number **TN0046647**
County Campbell
Street Address Cross Mountain near Grassy Gap
City Lake City
Zip 37769
Description of Activity Underground coal mine
Receiving Stream Stony Fork
Effluent Description Treated wastewater and storm water
Facility Latitude 36° 11' 12"
Facility Longitude 84° 14' 23"
Permit Writer JCP

Applicant **Sequatchie Valley Coal Corporation**
Facility **Mine Area 1**
NPDES Permit Number **TN0045951**
County Van Buren
Street Address State Highway 8, SVC Road
City Dunlap
Zip 37327
Description of Activity Reclaimed surface coal mine
Receiving Streams Rocky River and Baltimore Branch
Effluent Description Treated wastewater and storm water
Facility Latitude 35° 33' 45"
Facility Longitude 85° 30' 40"
Permit Writer MRR

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Non-Coal Proposed Reissuances

Applicant **Jackson Sand, LLC**
Facility **Mine 1**
NPDES Permit Number **TN0070777**
County Madison
Street Address 139 United Drive
City Jackson
Zip 38305
Description of Activity Construction sand and gravel dredge operation and processing plant
Receiving Stream Unnamed tributary to South Fork Forked Deer River
Effluent Description Treated wastewater and storm water
Facility Latitude 35° 39' 30"
Facility Longitude 88° 53' 15"
Permit Writer JPJ

Applicant **Kentucky-Tennessee Clay Company**
Facility **Oglebay-Norton, Mine 22**
NPDES Permit Number **TN0071358**
County Carroll
Street Address Purdy Road at Dollar Hill Road
City Clarksburg
Zip 38324
Description of Activity Ball clay mining
Receiving Streams Reedy Creek and Roan Creek
Effluent Description Treated wastewater and storm water
Facility Latitude 35° 53' 52"
Facility Longitude 88° 26' 33"
Permit Writer SJT

How to Comment:

TDEC is requesting public comment on this permit action. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure quality decisions. Persons wishing to comment on the proposed action are invited to submit comments in writing to the Mining Section at the above letterhead address, Attn: Public Notice Coordinator, by fax number (865) 594-6105, or by E-mail at Gary.Mullins@state.tn.us. Comments must be received by the end of comment period date (see page 1).

How to Request a Public Hearing:

Interested persons may request in writing that the Director of the Division of Water Pollution Control hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons for a hearing. When there is significant public interest for a hearing, a hearing will be conducted according to the Division of Water Pollution Control Rule 1200-4-1-.05(3)(g). Public hearings will be announced through another public notice.

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How the Department Will Proceed:

The Director of the Division of Water Pollution Control will determine the final permit action after considering comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State acts and regulations.

To Obtain Permit Details:

Draft Permits contain Antidegradation determinations and Rationales that address information concerning the foundation for the Division's determinations. Copies of the application(s), draft permit(s), and supporting documentation are in the permit files maintained at the Mining Section's office at the letterhead address. These files are available for public inspection during normal visiting hours by contacting Kimberley.Reardon@state.tn.us or calling (865) 594-5619.

List of Permit Writers

CTH	Chris Hobgood	865-594-5545	Chris.Hobgood@state.tn.us
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DAT	Dave Turner	865-594-5541	Dave.Turner@state.tn.us

State of Tennessee Antidegradation Policy

Tennessee's Antidegradation Statement is in Chapter 1200-4-3-.06 of the *Rules of the Tennessee Department of Environment and Conservation*. The primary purpose of the antidegradation policy is to establish a greater level of protection for high quality waters. Some high quality waters are in near-pristine condition. Others are determined to be high quality due to specialized uses and/or unique features.

Generally, there are two types of high quality waters. Outstanding National Resource Waters (ONRWs) or Tier 3 waters receive the greatest level of protection. The Water Quality Control Board designates these waters. New discharges or expansion of existing discharges cannot degrade existing water quality.

The Department identifies other high quality waters known as Tier 2 waters and protects against their degradation. The Water Quality Control Board may allow some degradation if the Board deems it economically and socially necessary. Tier 1 waters refer to other surface waters that do not have the identification and/or designation as high quality. These waters must achieve and maintain Tennessee's Water Quality Standards.

State of Tennessee Policy of Non-Discrimination

Pursuant to the State of Tennessee's policy of non-discrimination, the Tennessee Department of Environment and Conservation does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in its programs, services or activities. Equal Employment Opportunity/Affirmative Action inquiries or complaints should be directed to the EEO/AA Coordinator, Office of General Counsel, 401 Church Street, 20th Floor L & C Tower, Nashville, TN 37243, 1-888-867-7455. ADA inquiries or complaints should be directed to the ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor L & C Tower, Nashville, TN 37243, 1-866-253-5827. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).